LEGISLATIVE RESEARCH COMMISSION

VETERANS CEMETERY

REPORT TO THE 1987 GENERAL ASSEMBLY OF NORTH CAROLINA

STATE OF NORTH CAROLINA

LEGISLATIVE RESEARCH COMMISSION

STATE LEGISLATIVE BUILDING

RALEIGH 27611

1985 - 1987

LEGISLATIVE RESEARCH COMMISSION

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PREFACE

The North Carolina Legislative Research Commission is an interim study organization of the General Assembly. The Commission is established and governed by the North Carolina General Statutes 120-30.10 through 120-30.18. The Commission is cochaired by the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The Cochairmen appoint five members from their respective houses. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner." (G.S. 120-30.17(1)).

At the direction of legislation enacted by the 1985 General Assembly, the Legislative Research Commission has undertaken studies of numerous subjects. These studies were grouped into broad categories and each member of the Commission was given responsibility for one category of studies. The Cochairmen of the Legislative Research Commission, under the authority of G.S. 120-30.10(b) and (c), appointed committees consisting of members of the General Assembly and of the public to conduct the studies. Cochairmen, one from each house of the General Assembly, were designated for each committee.

The Study entitled Veterans Cemetery Study was authorized by Chapter 1032 of the 1985 Session Laws (Regular Session, 1986). (A copy of the pertinent parts of Chapter 1032 may be found in Appendix A of this report.) That act made reference to House Bill 2117 introduced by Representative Lancaster and others. (A copy of House Bill 2117 may also be found in Appendix A of this report.)

The Legislative Research Commission placed the Study on the Veterans Cemetery under the State Regulation Area for which Senator A. D. Guy is responsible. The Committee on the Veterans Cemetery is cochaired by Senator R. L. Martin and Representative Paul Tyndall. The membership list of the Committee may be found in Appendix B of this report.

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COMMITTEE PROCEEDINGS

The Veterans Cemetery Committee met three times prior to issuing this final report: September 25, 1986; November 13, 1986; and November 26, 1986. Lists of those attending Committee meetings, as well as Committee minutes are contained in the Committee's records on file in the Legislative Library.

September 25, 1986 Meeting

The Committee held its initial meeting on September 25, 1986. The Committee decided that its duty was to determine the needs, if any, for future land acquisition for veteran cemeteries and to determine the State's share of the cost.

House Bill 2117, (Appendix A) which was introduced by Representative Martin Lancaster and originally proposed the Veterans Cemetery Study, was reviewed by staff. (Appendix C) The bill set forth the reasons for the Study including the fact that North Carolina has more than 680,000 veterans and that by 1992 all four of the national cemeteries in the State will be full, with Wilmington being closed in 1986. (Appendix D) It further stated that the Veterans Administration has begun a regional, rather than state, concept for veterans cemeteries with North Carolina having

to use a national cemetery in Alabama once the State national cemeteries are filled and closed. Also, the V.A. has initiated a matching grant program to assist states in building veterans cemeteries. (Appendix E)

The Committee asked staff and Mr. Charles Beddingfield and Mr. A. E. Miller of the Division of Veterans Affairs to report to the next meeting on the status of land surrounding the existing national cemeteries for the possibility of acquiring land within a quater mile to be donated to the national cemeteries for expansion. The Committee agreed that veterans' families should not have to travel out of State to bury their family members.

Many veterans groups were represented at the meeting including Mr. Ralph Neville, Jr. and Mr. John R. B. Matthis of the Wake County Veterans Council who stated that for widows and dependents to travel long distances to visit a grave would be very inconvenient especially when they are older. Mr. William C. Cox, of the Veterans of Foreign Wars, Raleigh, said his group was aware of the problem and would help in any way possible.

The Committee then decided that in the event that there were no opportunities to expand the existing cemeteries, that the State should develop three regional cemeteries in the east, central and west. The Committee further instructed staff to research the costs involved in site development, continuing maintenance, and acquisition of lands for three cemeteries and eligibility criteria for the burial of the veteran and his family members.

November 13, 1986 Meeting

The second meeting of the Committee was held on November 13, 1986. The Committee held a public hearing at the beginning of the meeting and many veterans groups were represented. Mr. Ronald Harrison, of the Veterans of Foreign Wars, presented a petition adopted by the Buncombe County Veterans Council urging the State to build a veterans cemetery in the western part of the State. (Appendix F) Also entered into the record was a letter from Congressman-elect James McClure Clarke in which he stated he would introduce legislation to transfer 100 acres of National Forest land to the State for a veterans cemetery. (Appendix F)

Mr. Sherman Lillard, of the American Legion, presented a resolution passed by the American Legion at an October conference endorsing the need for three regional veterans cemeteries in the State and requesting the State to apply for the dollar for dollar matching federal grant program money. (Appendix G)

Mr. Horace Hill, of the Veterans of Foreign Wars, reported on his communications with Fort Bragg stating that the command has identified 50 acres adjacent to a military cemetery on base that can be transferred to the State provided that the legal and administrative details can be worked out. Also, Mr. Dorace Derrick, of the Veterans of Foreign Wars, Cumberland County, stated that his local committee is working to see that a suitable cemetery will be provided in his area and that several prospects

are being contacted for land donations. Finally, Representative Tyndall mentioned the possibility of available land from Camp Lejeune, the International Paper Company and in the Croatan National Forest in the Jacksonville, N. C. area.

Next, the Committee received reports from staff on the adjacent land at existing cemeteries that concluded that Wilmington had no available land for expansion at this time. (Appendix H) A large tract of land across from the Raleigh cemetery is owned by the N. C. State University Endowment Fund and cannot be sold at the present time. (Appendix I) New Bern has a city park next to the cemetery that could possibly be exchanged for another tract of State land although this would have to be determined at a later date. (Appendix J) The V. A. presently has plans to expand the Salisbury cemetery enabling it to remain open until the year 2015. (Appendix K) The Committee also received a map of the State indicating the veteran population by county and a chart of projected veteran deaths by county. (Appendix L) Staff explained the allocation procedure for State owned property to be transferred and used for cemetery purposes and also reported the estimated costs based on veteran cemetery programs in other states. (Appendix M) The Maryland Veteran Cemetery Program was presented to the Committee and a letter about the Montana Veteran Cemetery Program was reviewed. (Appendix N and Appendix O)

After further discussion, the Committee passed a motion to to prepare an appropriations bill in the amount of $100,000 for planning purposes including research costs, facilities and

operating costs for a staffed office for a veteran cemetery program in the Department of Administration. A fiscal note from the Fiscal Research Division will be requested and the motion was amended to the effect that the Committee agreed that the fiscal note may require an increase in the amount requested.

The Committee also passed a motion to prepare a resolution that the Veteran Cemetery Study Committee be continued in order to receive a full report from the office of the veterans cemetery program which would establish the final plans for the cemeteries needed, their locations and the total costs and to make a Report to the 1988 Session of the 1987 General Assembly to request the necessary capital expenditures.

November 26, 1986 Meeting

At the Committee's last meeting held before the 1987 General Assembly the Committee approved the text of the proposed legislation to appropriate the funds to carry out the planning for a veterans cemetery program and to continue the Study, and the text of the final report to the 1987 General Assembly.

FINDINGS AND RECOMMENDATIONS

The Veterans Cemetery Committee makes the following findings and recommends the following actions to the 1987 General Assembly:

A. Findings

1) The cemetery capacity for the burial of veterans in the four national cemeteries in North Carolina is inadequate and the cemeteries at Wilmington, New Bern and Raleigh will be filled and closed by the year 1992. The Salisbury cemetery will be expanded by the Veterans Administration and therefore remain open possibly until the year 2015.

2) There are approximately 680,000 veterans residing in North Carolina. An average of 15% of all veterans will request burial in a veterans cemetery.

3) The Veterans Administration does not construct new national cemeteries in the individual states but now has a regional cemetery system with North Carolina being in the 4th Region. The veterans cemetery for the 4th Region is located in Ft. Mitchell, Alabama.

4) North Carolina veterans may have to be buried in Alabama once the four national cemeteries in the State are filled.

5) The Veterans Administration has a State Cemetery Grants Program that will approve grants for up to 50% of the total costs for states to acquire land and construct a State veterans cemetery but the ongoing costs of operation and maintenance must be paid by the State.

6) The State owns many acres of land that can be allocated for the development of veterans cemeteries.

7) There is the possibility that private citizens, industry and the federal government may make land available to the State by donation or legislation.

B. Recommendations

1) Establish a State veterans cemetery office to identify sites for cemeteries, to recommend development costs, to acquire federal grant funds and to administer a veterans cemetery program. This office should be in the Department of Administration. The proposed bill is contained in APPENDIX P.

2) The Veterans Cemetery Study Committee should be continued in the 1987 General Assembly in order to receive recommendations from the cemetery program office for the establishment, the operation and the maintenance of a State cemetery program, and to make a Report to the 1988 Session for an appropriation for capital expenditures. The proposed resolution is contained in APPENDIX Q.

GENERAL ASSEMBLY OF NORTH CAROLINA

1985 SESSION (REGULAR SESSION, 1986)

RATIFIED BILL

CHAPTER 1032
HOUSE BILL 2141

AN ACT AUTHORIZING STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, AND TO MAKE OTHER AMENDMENTS AFFECTING THE RAILROAD NEGOTIATING COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Studies Authorized. The Legislative Research Commission may study the topics listed below. Listed with each topic is the 1985 bill or resolution that originally proposed the issue or study and the name of the sponsor. The Commission may consider the original bill or resolution in determining the nature, scope and aspects of the study. The topics are:

(5) Veterans Cemetery Study (H.B. 2117 - Lancaster).

Sec. 3. Reporting Dates. For each of the topics the Legislative Research Commission decides to study under this act or pursuant to G.S. 120-30.17(1) the Commission may report its findings, together with any recommended legislation, to the 1987 General Assembly.

Sec. 4. Bills and Resolution References. The listing of the original bill or resolution in Sections 1 through 3 of this act is for reference purposes only and shall not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

Sec. 13. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of July, 1986.

ROBERT B. JORDAN III
Robert B. Jordan III
President of the Senate

LISTON B. RAMSEY
Liston B. Ramsey
Speaker of the House of Representatives

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1985

H

I

HOUSE BILL 2117

Short Title: Veterans Cemetery Study. (Public)

Sponsors: Representatives Lancaster; Bowman.

Referred to: Appropriations.

June 30, 1986

A BILL TO BE ENTITLED

AN ACT CREATING A VETERANS CEMETERY STUDY COMMITTEE AND APPROPRIATING FUNDS FOR THE STUDY.

Whereas, North Carolina has more than 680,000 veterans of military service; and

Whereas, those veterans are deserving of the opportunity to be buried in a veterans cemetery in recognition of their service to our country; and

Whereas, by 1992, all of the national cemeteries in North Carolina will be filled, with the Wilmington cemetery being filled and closed at the end of this year; and

Whereas, the Veterans Administration has now gone to a regional concept for national cemeteries, with the nearest such facility being in the State of Alabama; and

Whereas, veterans are deserving of being buried in close proximity to where their families and friends live and to not have to be transported to Alabana for burial; and

Whereas, the Veterans Administration now has a dollar-for-dollar match program to encourage states to build veterans cemeteries; and

Whereas, 11 states have taken advantage of this program for the benefit of their veterans; and

Whereas, because of their close association with veterans groups and their fine work on behalf of veterans across the State, the Division of Veterans Affairs of the North Carolina Department of Administration is an appropriate office to study the need for a North Carolina veterans cemetery, to determine the cost and location for one or more veterans cemeteries to serve the needs of our veteran population, and to determine the ongoing cost of maintaining and operating such facilities; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the North Carolina Division of Veterans Affairs of the Department of Administration the sum of twenty thousand dollars ($20,000) for fiscal year 1986-87 to conduct a study on veterans cemeteries. The study shall determine:

(1) The need, if any, for burial facilities for North Carolina veterans, including the size, location, and number of facilities needed;

(2) The State's share of the cost of acquiring land for and constructing the needed burial facilities; and

(3) The ongoing cost to operate and maintain the needed burial facilities.

Sec. 2. The Division shall work with an advisory committee composed as follows. The Speaker of the House of Representatives shall appoint one member each from the House of Representatives, the North Carolina American Legion, the North

Carolina Veterans of Foreign Wars, and the North Carolina Disabled American Veterans. The Lieutenant Governor shall appoint one member each from the Senate, the North Carolina American Legion, the North Carolina Veterans of Foreign Wars, and the North Carolina Disabled American Veterans. The Governor shall appoint a veteran, who shall serve as chairman of the committee.

Sec. 3. The Division shall report its findings to the 1987 Session of the North Carolina General Assembly.

Sec. 4. This act is effective upon ratification.

SUBJECT: VETERANS CEMETERY STUDY
Auth.: Chapter 1032 § 1(5) (HB 2141 - Rep. Watkins); HB 2117 (Rep. Lancaster)
Report by: Legislative Research Commission
Report to: General Assembly
Date: 1987 Session

Members:

President Pro Tempore's Appointments

Sen. R. L. Martin, Cochair
Post Office Box 387
Bethel, NC 27812
(919) 825-4361

The Reverend John B. Moore
First Baptist Church
Post Office Box 529
Weldon, NC 27890
(919) 536-2164

Mr. E. Wayne Peedin
Route 1, Box 289
Princeton, NC 27569
(919) 965-3438

Sen. Robert G. Shaw
Post Office Box 8101
Greensboro, NC 27419
(919) 292-5805

Sen. William W. Staton
Post Office Box 1320
Sanford, NC 27330
(919) 775-5616

Speaker's Appointments

Rep. Paul Tyndall, Cochair
414 Woodhaven Drive
Jacksonville, NC 28540
(919) 346-8812

Rep. Charles M. Beall
Route 3, Box 322
Clyde, NC 28712
(704) 627-2423

Mr. David Joe Duncan
State Commander, VFW
1712 DeArmon Drive
Charlotte, NC 28205
(704) 334-1448

Mr. Horace O. Hill
1820 Edgecomb Avenue
Fayetteville, NC 28301
(919) 488-0022

Rep. H. Martin Lancaster
Post Office Box 916
Goldsboro, NC 27533
(919) 735-7275

STATE OF NORTH CAROLINA

LEGISLATIVE RESEARCH COMMISSION

STATE LEGISLATIVE BUILDING

RALEIGH 27611

MEMORANDUM

TO: Members of the Veterans Cemetery Study Commission

FROM: Grover Burthey, Jr., Committee Counsel

Subject: Facts concerning North Carolina's Veterans' Cemetery burial capacity

North Carolina presently has four national cemeteries that are located at Raleigh, New Bern, Salisbury and Wilmington. They will be full to capacity and therefore closed by the year 1992, with Wilmington being full and closed by the end of this year.

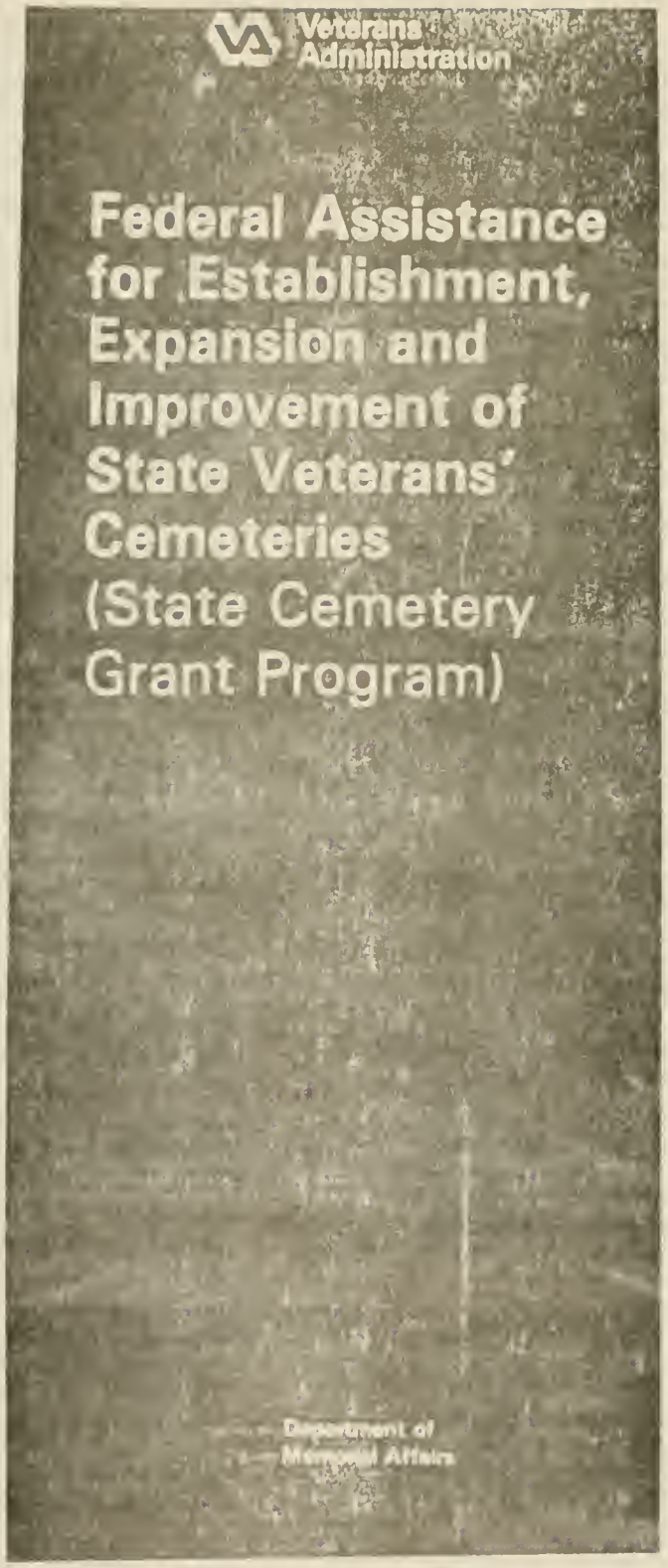
North Carolina is in the Forth Region of the National Cemetery System. States included in this region are Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee and Kentucky. There is presently under construction at Ft. Mitchell, Alabama a national cemetery that would serve as regional cemetery for the Forth Region.

There is still space available at Quantico, Virginia until the year 2096 that can serve North Carolina's needs. The national cemetery at Florence, South Carolina also has available space because of a recent expans on program. There are spaces for cremains available at most cemeteries.

There is a Veterans Administration State Cemetery Grants Program that will handle matching funds to the States for the purchase of land and the construction of national cemeteries that would then be run by the State. The Federal government will not share in the cost of operation under this grants program although there is a plot allowance of $150 payable by the VA to the State cemetery for each veteran buried. The VA, however, can accept donations of land within 1/4 mile of an existing national cemetery to expand and thus continue its operation without the need for State involvement. There is currently a five year plan that includes an expansion at the Salisbury national cemetery because of a land donation of about 4 or 5 acres. The New Bern cemetery was expanded recently and thus will be able to operate through 1991. There are presently at least 11 states in the grants program. There are 22 other states that have Veterans' cemeteries that were developed by the states on their own initiative before the grants program.

NATIONAL CEMETERY INFORMATION (North Carolina)

LOCATION	SIZE (Acres)	INTERMENTS FY - 85	AVG. INTERMENTS 1980 - 1985	TOTAL OCCUPIED GRAVESITES	PROJECTED CLOSURE DATE	COST FY - 84	PERSONNEL (Rounded Up)
NEW BERN	7.7	116	111	5,824	1991	$101,235	4
RALEIGH	7.0	144	138	4,363	1992	$102,969	4
SALISBURY	8.6	138	121	14,842	1992	$ 91,355	4
WILMINGTON	5.0	110	124	4,849	1986	$117,185	4
TOTALS	28.3	508	124	29,878	----	$412,744	16


Veterans Administration
Federal Assistance for Establishment, Expansion and Improvement of State Veterans' Cemeteries (State Cemetery Grant Program)
Department of Memorial Affairs

What is the VA State Cemetery Grant Program?

It is a Federal grant program administered by the VA Department of Memorial Affairs to aid States in the establishment, expansion and improvement of veterans' cemeteries (P L. 95 476).

How does a State apply for assistance under the grant program?

Complete instructions and copies of the necessary forms for State Cemetery Grant applications are available from:

Director, State Cemetery Grants (40G)
Veterans Administration
810 Vermont Avenue, N W.
Washington, DC 20420

(202) 389 2313

How is a State veterans' cemetery established?

Generally, veterans service organizations and/or interested State officials encourage the State legislature to enact legislation for the necessary site acquisition, construction, operation and maintenance.

How does the grant program aid the States?

The Administrator of Veterans Affairs may approve grants for State veterans' cemeteries in an amount not to exceed 50 percent of the total value of the land and the cost of improvement, with the remaining amount to be contributed by the grant recipient.

What criteria will govern the acceptance of a proposed State veterans' cemetery site for grant funding?

Grants are made on the condition that the cemetery shall conform to standards and guidelines relating to site selection, planning and construction as the VA prescribes by regulation. Generally, the availability of funds for grant aid will be the first consideration in reviewing a State's application.

How much money will be available for cemetary grants under this program?

There is authorized to be appropriated $5 million for fiscal year 1980 and for each of the four succeeding fiscal years. The appropriation is three year money, i.e., the first year's money expires at the end of fiscal year 1982.

How much money will be available to a State which qualifies for grant aid?

The amount a State may receive in any fiscal year is limited to no more than 20 percent of the amount appropriated for the program for that fiscal year. In no case, will the amount be more than required to cover the State's estimated costs for the fiscal year.

May a State veterans' cemetery be used for interment of non veterans?

Yes. A State may determine that an eligible veteran's wife, husband, surviving spouse, minor children, and unmarried adult children are eligible to be interred in the same plot as the veteran.

What veterans are not eligible to be buried in a State veterans' cemetery established under the State Cemetery Grants Program?

A veteran whose last separation from military service was dishonorable or a veteran who was on active duty at the time of death, whose death was due to dishonorable causes, is not eligible under this program.

Are States empowered to impose additional eligibility criteria for interment?

Yes. A State may elect to restrict interment to those veterans who were legal residents of the State at the time of death, and/or to veterans who have an honorable discharge from military service.

Can a State charge for the interment of a veteran in a veterans' cemetery established, expanded, or improved under this program?

No. Federal aid is predicated upon the provision of cost-free interment for eligible veterans. There may, however, be a fee for the interment of members of the veteran's immediate family

Can grant funds be withdrawn from a State for any cause?

Yes. Any State ceasing to own or operate a cemetery established, expanded, or improved through the use of grant funds, or using the funds for any other purpose than for which the grant was made, will be liable for the total refund for all grants made for that cemetery

Does the Veterans Administration exercise any authority over the administration operation, or

maintenance of a veterans' cemetery funded under this program?

No. The administration, operation, and maintenance of the cemetery is the responsibility of the State. Applicable standards set forth for this purpose in VA regulations must be adhered to, however, to preclude any possibility of the cemetery becoming a "potter's field."

What other burial benefits are available to States?

The Administrator of Veterans Affairs is authorized to pay an allowance of $150 to a State for expenses incurred in the burial of eligible veterans in cemeteries owned and operated by such State. This benefit is administered by VA's Department of Veterans Benefits.

Distribution: CO. COA, (40F)
SS (40G) FLD: CEM A 12 each; CEM C 12 each; NCAO 5 each; ROA 4 each; MA 6 each, VSO 2 each; ASO 2 each

Federal Assistance for
Establishment, Expansion and
Improvement of State Veterans'
Cemeteries
(State Cemetery Grant Program)
VA Pamphlet 40-96
September 1980

608759

BCVC LETTERHEAD

P.O Box 7552
Asheville, NC 28807-7552

5 November 1986

Rep. Charles L. Beall
P.O. Box 387
Canton, NC 28716-0387

Dear Representative Beall:

On behalf of the Buncombe County Veterans Council we request that you as a member of the Legislature Research Commission - Study of Veterans Cemeteries offer your good offices as a member of the commission to asist in the establisment of a State Veterans Cemetary in Western North Carolina.

The Buncombe County Veterans Council stands ready to assist in whatever way we can to help in this worthy endeavour. Toward that end I have appointed a committee from among the members of the council consisting of one member from each of our member organizations (DAV, AMVETS, VFW, Am. Legion, etc. ,not from individual posts, chapters, etc). which stands ready to do whatever will be required.

Enclosed please find a Petition from the Buncombe County Veterans Council which we hope will be the instrument to get this project "on track". included are letters from Congressman Bill Hendon and Congressman elect Jamie Clarke indicating their approval of this project and their intention to assist in whatever way they can to see this project through to a sucessful conclusion.

Thanking you in advance for your help in this most important project in providing for the needs of the veterans of Western North Carolina, I remain,

Very truly yours,

Herbert W. Reith
Chairman

Enclosures:
Petition
Clarke letter
Hendon letter
Proposed rules

A PETITION

BUNCOMBE COUNTY VETERANS COUNCIL

WHEREAS, the veterans of western North Carolina recognizing that the needs of the veterans of this area have not been met by either the Federal or State governments regarding suitable places of internment for the veterans or their spouses; and

WHEREAS, National Cemeteries existing in other parts of the State of North Carolina have either reached capacity or will do so in the near future thereby even further restricting access to these distant National Cemeteries; and

WHEREAS, it is projected that 249,273 veteran deaths will occur in North Carolina between 1986 and 2003 with no plans to accommodate the internment needs of these veterans and their spouses; and

WHEREAS, both William Hendon, Representative from the Eleventh Congressional District of North Carolina and James Mc'Clure Clarke, the candidate for the seat now held by Mr. Hendon have thrown their support behind this petition with the promise to introduce necessary legislation in Washington to assist in this endeavour; and

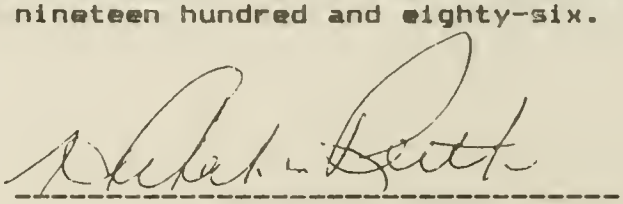
WHEREAS, under Public Law 95-476 the Federal Government is authorized to participate in the establishment of State Veterans Cemeteries with the Federal Government providing up to 50% of the costs associated with the establishment, expansion or improvement of a state owned veterans cemetery; and

WHEREAS, the State of Montana has entered into an agreement with the Federal Government for the transfer of Federal land to the state of Montana as the Federal Government's share of the cost of development of a state veterans cemetery; and

WHEREAS, large tracts of suitable Federal land exist in the far western counties of North Carolina which could be used as a State Veterans Cemetery to fill the needs of veterans of western North Carolina and could be obtained by legislation similar to that used by the state of Montana.

NOW, THEREFORE, I, Herbert W. Reith, Chairman of the Buncombe County Veterans Council, on behalf of the members of said council, do hereby petition the Great State of North Carolina and more particularly the Legislature Research Commission - Study of Veterans Cemeteries to initiate whatever action is required to provide a State Veterans Cemetery in the western portion of North Carolina.

IN WITNESS WHEREOF, I have hereunto put my hand and the affixed seal of the Buncombe County Veterans Council this the thirty first day of October, in the year of our Lord nineteen hundred and eighty-six.



HERBERT W. REITH, CHAIRMAN

BUNCOMBE COUNTY VETERANS COUNCIL

PROPOSED RULES FOR THE STATE OF NORTH CAROLINA VETERANS CEMETERY

IO MAY BE BURIED IN THE CEMETERY?

1. Any veteran discharged under other than dishonorable conditions from any branch of the Armed Forces of the United States.

2. Any spouse of an eligible veteran may be buried in a State Veterans Cemetery provided that the internment of the spouse is in the same burial plot provided for the veteran.

   A. A fee will be charged to cover the cost of opening and closing of the burial plot for the internment of a spouse.

   B. A spouse's headstone will be required to be the same as that of the veteran.

   C. If the veteran has been buried in a plot designated for cremated remains, the spouse must also select similar arrangements.

   D. The burial for the spouse and/or veteran must be prearranged prior to the internment of the spouse.

   E. The burial of a spouse must comply with all rules applicable to the burial of the veteran.

Note: The term "spouse" refers to the spouse of an eligible veteran who is not eligible for internment as an eligible veteran in their own right.

ULES OF BURIAL.

1. All costs of transportation from place of death to place of internment shall be the the responsibility of the veteran's family.

2. All bodies shall be prepared for burial, and services provided shall be performed by a licensed mortuary, and mortician under the laws and regulations applicable in and for the State of North Carolina. Each family shall have the right to select their own mortuary firm to handle all arrangements for services.

3. A vault acceptable to the Director of the State Veterans Cemetery shall be provided.

4. Cremated remains must be provided in a container acceptable to the Director.

5. Only flat granite markers similar to those provided by the Veterans Administration will be acceptable for the plot markers.

6. All burial services will be conducted in areas so designated by the Director.

CLARKE FOR CONGRESS '86

Post Office Box 7434
Asheville, North Carolina 28807
(704) 253-1310

October 2, 1986

Buncombe County Veterans Council
Post Office Box 7552
Asheville,
North Carolina 28807-7552

Dear Friends:

When I am elected to the 100th Congress, I will introduce legislation providing for the transfer of approximately 100 acres of National Forest land in North Carolina to the State of North Carolina to establish a State Veterans' Cemetery.

Sincerely,

James McClure Clarke

JMC:ao

BILL HENDON
ELEVENTH DISTRICT, NORTH CAROLINA

COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS
SUBCOMMITTEES
NATIONAL PARKS AND RECREATION
ENERGY AND THE ENVIRONMENT

COMMITTEE ON VETERANS' AFFAIRS
SUBCOMMITTEES
HOSPITALS AND HEALTH CARE
EDUCATION, TRAINING AND EMPLOYMENT

POW-MIA TASK FORCE
TEXTILE CAUCUS
MILITARY REFORM CAUCUS

WASHINGTON OFFICE
115 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6401

DISTRICT OFFICES
202 EXECUTIVE PARK
COLLEGE STREET
ASHEVILLE, NC 28801
(704) 254-1406

602 A-1 WEST MAIN STREET
FOREST CITY, NC 28043
(704) 245-5551

109 FEDERAL BUILDING
140 FOURTH AVENUE WEST
HENDERSONVILLE, NC 28739
(704) 693-8366

Congress of the United States
House of Representatives
Washington, DC 20515

October 22, 1986

Mr. Herb Reith, Chairman
Buncombe County Veterans Council
PO Box 7552
Asheville, NC 28807

Dear ~~Mr. Reith:~~ Herb

Thank you for the opportunity to comment on your endeavor to establish a North Carolina State Veteran's Cemetery in Western North Carolina.

I am pleased to extend to you and your fine organization my assistance in bringing such a memorial to Western North Carolina. I will be happy to work with both the Federal and State government in making this a reality.

Again, thank you for contacting me on this important project.

Sincerely,

BILL HENDON
Member of Congress
from Western North Carolina

BH/kp

FC86-5

RESOLUTION

TITLE: CONSTRUCTION AND MAINTENANCE OF A VETERANS STATE CEMETERY FOR HONORABLY DISCHARGED NORTH CAROLINA VETERANS

WHEREAS, North Carolina presently has four National Veteran Cemeteries with locations in New Bern, Wilmington, Raleigh and Salisbury; and,

WHEREAS, These National Veterans Cemeteries are rapidly filling up with Wilmington reaching capacity by the end of 1986, New Bern reaching capacity in 1991, Raleigh 1992, and Salisbury, with recent additional land being donated will reach capacity around 2005; and

WHEREAS, Recent legislation requires the Veterans Administration to construct and maintain National Veterans Cemeteries on a regional concept with North Carolina being in the fourth region; and

WHEREAS, The site approved and under development for the fourth region is located in Alabama; and

WHEREAS, If land can be obtained and donated to the Federal Government that is within 1/4 mile of an existing National Veterans Cemetery, the Veterans Administration will continue internment and maintenance at no cost to the state; and

WHEREAS, If land is not available within 1/4 mile of an existing National Cemetery, the Veterans Administration has a dollar for dollar matching grant program available to states wishing to construct and maintain a state veterans cemetery; and

WHEREAS, This money is a "one time deal" and can only be used for the purchase of land and construction of a cemetery requiring the state to provide the continual maintenance and internment; and

WHEREAS, The Veterans Administration will pay to the state $150.00 for each internment; and

WHEREAS, The State of North Carolina has more than 680,000 eligible veterans; and

WHEREAS, North Carolina veterans deserve an appropriate final resting place in a veterans cemetery; and

WHEREAS, It would be impossible for widows/widowers of interred veterans to travel the great distance to Alabama to visit the grave sites of their loved ones; now, therefore be it

RESOLVED, By the Department Executive Committee of The American Legion, Department of North Carolina meeting in Conference in Charlotte, North Carolina, this 25th day of October, 1986, that if it is not feasible to acquire additional land within 1/4 mile of an existing National Cemetery, request that the state of North Carolina apply for the dollar for dollar matching grant program available; and, be it

FURTHER RESOLVED, That the State of North Carolina develop a regional concept within the state to obtain property and construct three separate state veteran cemeteries with one being in the EAST, one being in the CENTRAL part of the state, and one being in the WEST; and, be it

FURTHER RESOLVED, That all eligible veterans of all branches of military service who are a North Carolina resident at time of death be allowed internment in the North Carolina Veterans State Cemetery; and, be it

FINALLY RESOLVED, That a delegation from The American Legion, Department of North Carolina attend a public hearing to be held November 13, 19886 at the State Legislative Building in Raleigh, North Carolina supporting the aims set forth in this resolution.

Submitted By: Pine Level Post #405

ADOPTED BY THE DEC 10-25-86

North Carolina
Department of Administration

James G. Martin, Governor
Grace J. Rohrer, Secretary

Charles A. Beddingfield, Jr.
Assistant Secretary for Veterans Affairs

10 October 1986

Mr. Charles A. Beddingfield, Jr.
Assistant Secretary
N.C. Division of Veterans Affairs
Raleigh, N.C.

Re: Wilmington National Cemetary

Dear Sir:

It appears that the feasability of securing property within a quarter-mile of the Wilmington National Cemetary via purchase or donation for the purpose of expanding the facility and prolonging the operating life is low.

The facility, located at 2011 Market St., is only twenty blocks from downtown Wilmington, in an area that consists primarily of privately-owned residences.

I spoke with Mr. Bob Beller, VA Cemetary System, Washington, D.C., who informed me that the feasibility of expanding the existing facility had been investigated within the past five years by a team dispatched from the Office of Construction-Land Management Service, and that the report had been negative. The reasons cited were: privately owned residential area; a National Cemetary can only be expanded via property that is contiguious with the existing facility; and, in the case of property secured to expand a facility, either by purchase or donation, if occupied, the VA would be liable to bear the expense of relocating the occupants of said property.

Based on my own visual inspection, the small strip of property that is contigious with the facility on the east side, is disected by a creek. The facility is bounded otherwise by city streets.

Sincerely,

Stephen M. Guthrie
District Service Officer

Division of Veterans Affairs • District Office • P.O. Box 1742 • Wilmington 28402 • (919) 762-2541

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North Carolina
Department of Administration

James G. Martin, Governor
Grace J. Rohrer, Secretary

Charles A. Beddingfield, Jr.
Assistant Secretary for Veterans Affairs

30 September 1986

OCT 1 1986

MEMORANDUM

TO: Alfred E. Miller, Jr.

FROM: Romie T. Eason

SUBJECT: Space for Expansion of National Cemetery

I was able to locate two possible sites to be used as a Veterans Cemetery. The first site is located on New Bern Avenue acorss from DAV Headquarters. This plot of land is approximately three acres in size and the Division of Motor Vehicles is using a portion of this tract for a parking lot. The plot of land is located .6 of a mile from the National Cemetery. It is thought to be owned by the State of North Carolina.

The second site is a plot of land located directly acorss the street on the east side of the National Cemetery. This is a large wooded track of land of undetermined size, but appears to be many acres. The tract is bordered on the west side by Bart Street and on the south side by Lenior Street. This tract of land is owned by NC State Unversity.

RTE/nr

North Carolina
Department of Administration

James G. Martin, Governor
Grace J. Rohrer, Secretary

Charles A. Beddingfield, Jr.
Assistant Secretary for Veterans Affairs

October 9, 1986

Re: State Cemetery System

Mr. Alfred E. Miller, Jr.
Assistant Director
N. C. Division of Veterans Affairs
227 East Edenton Street
Raleigh, North Carolina 27601

Dear Alfred:

Reference is made to your telephone call concerning the possibility of establishing a State Cemetery System for veterans in North Carolina. I visited the New Bern National Cemetery and found out quite a bit of information about what is available, and the potential acquisition of property directly adjacent to the National Cemetery.

Currently the National Cemetery in New Bern has remaining approximately 400 full casket first interment grave sites. This is estimated to carry the cemetery for approximately six (6) to eight (8) years. At the present time there are 200 cremation sites.

The New Bern National Cemetery has already started plans to acquire additional property adjacent to the present cemetery site. I have enclosed a map of the cemetery which lists the possible properties that could be obtained for use by the National Cemetery. On the East side there is a small Jewish cemetery. There is approximately one half to three quarters of an acre of land directly behind the Jewish cemetery which is owned by the Jewish Synagogue in New Bern. Directly behind the cemetery are private homes. It is unlikely that any acquisition of property can be made there. On the West side of the cemetery is a city park which consists of two (2) youth league ball parks. The city park is owned by the City of New Bern and there are 3.32 acres of land. The cemetery has made inquiries about obtaining the city park for cemetery use. The City of New Bern appears to be cooperative, but they have asked that the cemetery furnish them with suitable property to be used for youth and recreational facilities in the same community. Directly adjacent to the cemetery on National Avenue there are three (3) vancant lots. One lot does have a vacant house on it. It is possible that the cemetery could obtain this property.

If the cemetery could expand both to the East and West, they could obtain enough property to sustain the operation of the National Cemetery for approximately 50 more years. The interment rate at the cemetery is currently 80 per year. The superintendent of the cemetery was very cooperative and indicated that they would provide any information needed. He is Mr. Joe A. Ramos, 1711 National Avenue, New Bern, NC 28560. His telephone number is (919)637-2912.

OCT 1986

If additional information is needed please contact me, and I will be glad to assist any way that I can.

Sincerely,

Charles F. Smith
District Officer

CFS:ibm
Enclosure 1

North Carolina
Department of Administration

James G. Martin, Governor
Grace J. Rohrer, Secretary

Charles A. Beddingfield, Jr.
Assistant Secretary for Veterans Affairs

October 9, 1986

Mr. Alfred E. Miller, Jr.
Assistant Director
N.C. Division of Veterans Affairs
227 East Edenton Street
Raleigh, North Carolina 27601

RE: CEMETERY FOR VETERANS
IN NORTH CAROLINA

Dear Mr. Miller:

1. As to availability of land within ½ mile of the present Salisbury National Cemetery there is in affect none. Right up against it on the South is massive brick wall of a Cone Mills Plant. On the West is a street and a high railroad embankment. On the East is a street and a housing development. On the North is an old building used as a Vocational Workshop and a city recreational area which would revert back to an estate if used for other than recreational purposes.

2. This leaves the question of the price of land a moot one at present.

I reviewed the matter at length on October 8, 1986, with Floyd Keck, Director (704-636-2661). He says that regulations state that land must adjoin a present cemetery and be accessible from it. He now has 1200 sites available. Plans are to develop more sites up to 4500 which at the current rate of 145 burials per year will carry to the year 2015 but he expects an increased rate. V.A. Central Office people are to be this way in six months to see if expansion from the present 1200 available sites is suitable and if so will develop plans to spend $200,000 on developing to 4500 sites.

A map of Salisbury is enclosed as is a picture of the recreational area. See 13C on the map for the cemetery location on S. Railroad Street. Also, a US map indicating all National Cemeteries is enclosed. See square at right for the new cemetery at the USMC Quantico Base.

Very truly yours,

R. L. Remsburg, Jr.
District Service Officer

RLR/dp
Enclosures

NORTH CAROLINA

COUNTY	TOTAL VETERANS	WARTIME VETERANS	VIETNAM ERA		KOREAN CONFLICT		WORLD WAR II	WORLD WAR I	PEACETIME VETERANS			
			TOTAL	NO SERVICE IN KOREAN CONFLICT	TOTAL	NO SERVICE IN WORLD WAR II			TOTAL	POST-VIETNAM ERA	SERVICE BETWEEN KOREAN CONFLICT AND VIETNAM ERA ONLY	OTHER PEACETIME VETERANS
TOTAL	10,400	9,600	800	500	1,700	1,100	7,400	600	900	100	400	400
ALAMANCE	200	180	10	10	30	20	140	10	20	*	10	10
ALEXANDER	30	30	*	*	10	*	20	*	*	*	*	*
ALLEGHANY	20	10	*	*	*	*	10	*	*	*	*	*
ANSON	40	30	*	*	10	*	30	*	*	*	*	*
ASHE	40	40	*	*	10	*	30	10	*	*	*	*
AVERY	20	20	*	*	*	*	20	*	*	*	*	*
BEAUFORT	70	60	10	*	10	10	50	*	*	*	*	*
BERTIE	20	20	*	*	*	*	20	*	*	*	*	*
BLADEN	30	30	*	*	10	*	20	*	*	*	*	*
BRUNSWICK	80	80	10	*	10	10	60	*	10	*	*	*
BUNCOMBE	430	390	30	10	60	40	310	30	30	*	10	20
BURKE	140	130	10	10	20	10	100	10	10	*	10	10
CABARRUS	200	180	10	10	30	20	140	10	20	*	10	10
CALDWELL	130	120	10	*	20	10	100	10	10	*	*	*
CAMDEN	10	*	*	*	*	*	*	*	*	*	*	*
CARTERET	110	100	10	*	20	10	80	10	10	*	*	*
CASWELL	30	20	*	*	*	*	20	*	*	*	*	*
CATAWBA	190	170	20	10	30	20	130	*	20	*	10	10
CHATHAM	60	50	*	*	10	10	40	*	*	*	*	*
CHEROKEE	40	40	*	*	10	*	30	*	*	*	*	*
CHOWAN	20	20	*	*	*	*	20	*	*	*	*	*
CLAY	20	20	*	*	*	*	10	*	*	*	*	*
CLEVELAND	130	120	10	10	20	10	90	10	10	*	*	*
COLUMBUS	70	60	*	*	10	10	40	10	10	*	*	*
CRAVEN	110	100	10	10	20	10	80	*	10	*	*	*
CUMBERLAND	330	300	30	20	60	40	230	10	30	10	20	10
CURRITUCK	30	30	*	*	*	*	20	*	*	*	*	*
DARE	60	50	*	*	10	*	40	*	*	*	*	*
DAVIDSON	200	180	20	10	30	20	140	10	20	*	10	10
DAVIE	50	50	*	*	10	10	40	*	*	*	*	*

COUNTY	TOTAL VETERANS	WARTIME VETERANS					PEACETIME VETERANS					
		TOTAL	VIETNAM ERA		KOREAN CONFLICT		WORLD WAR II	WORLD WAR I	TOTAL	POST-VIETNAM ERA	SERVICE BETWEEN KOREAN CONFLICT AND VIETNAM ERA ONLY	OTHER PEACETIME VETERANS
			TOTAL	NO SERVICE IN KOREAN CONFLICT	TOTAL	NO SERVICE IN WORLD WAR II						
DUPLIN	60	60	*	*	10	10	40	10	10	*	*	*
DURHAM	280	250	20	10	40	30	200	10	20	*	10	10
EDGECOMBE	80	70	10	*	10	10	50	10	10	*	*	*
FORSYTH	470	430	40	20	80	50	330	20	40	*	20	20
FRANKLIN	40	40	*	*	10	*	30	10	*	*	*	*
GASTON	330	300	20	10	50	30	240	20	30	*	10	10
GATES	10	10	*	*	*	*	10	*	*	*	*	*
GRAHAM	20	10	*	*	*	*	10	*	*	*	*	*
GRANVILLE	50	50	*	*	10	10	40	*	*	*	*	*
GREENE	20	10	*	*	*	*	10	*	*	*	*	*
GUILFORD	620	570	50	30	100	70	450	20	50	10	20	20
HALIFAX	70	70	*	*	10	10	50	*	10	*	*	*
HARNETT	80	70	10	*	10	10	50	*	10	*	*	*
HAYWOOD	100	90	10	*	20	10	70	10	10	*	*	*
HENDERSON	170	160	10	10	20	10	120	30	10	*	10	10
HERTFORD	30	30	*	*	*	*	20	*	*	*	*	*
HOKE	20	20	*	*	*	*	20	*	*	*	*	*
HYDE	10	10	*	*	*	*	10	*	*	*	*	*
IREDELL	150	130	10	10	30	20	100	10	10	*	10	10
JACKSON	50	40	*	*	10	*	30	*	*	*	*	*
JOHNSTON	90	80	10	10	20	10	60	10	10	*	*	*
JONES	10	10	*	*	*	*	10	*	*	*	*	*
LEE	70	60	10	*	10	10	50	*	10	*	*	*
LENOIR	90	80	10	*	20	10	60	*	10	*	*	*
LINCOLN	70	70	10	*	10	10	50	*	10	*	*	*
MC DOWELL	70	60	10	*	10	10	50	*	10	*	*	*
MACON	50	50	*	*	10	10	40	*	*	*	*	*
MADISON	20	20	*	*	*	*	20	*	*	*	*	*
MARTIN	30	30	*	*	10	*	20	*	*	*	*	*
MECKLENBURG	870	800	70	40	140	90	630	40	70	10	30	30

PROJECTED VETERAN DEATHS BY COUNTY --- MARCH 31,1987

COUNTY	TOTAL VETERANS	WARTIME VETERANS					PEACETIME VETERANS				
		TOTAL	VIETNAM ERA		KOREAN CONFLICT		WORLD WAR II	WORLD WAR I	TOTAL	POST-VIETNAM ERA	SERVICE BETWEEN KOREAN CONFLICT AND VIETNAM ERA ONLY	OTHER PEACETIME VETERANS
			TOTAL	NO SERVICE IN KOREAN CONFLICT	TOTAL	NO SERVICE IN WORLD WAR II						
MITCHELL	30	20	*	*	*	*	20	*	*	*	*	*
MONTGOMERY	40	40	*	*	10	*	30	*	*	*	*	*
MOORE	130	120	10	*	20	10	100	10	10	*	*	*
NASH	100	90	10	10	20	10	70	10	10	*	*	*
NEW HANOVER	200	190	20	10	30	20	140	10	20	*	10	10
NORTHAMPTON	30	30	*	*	*	*	20	*	*	*	*	*
ONSLOW	110	100	10	10	20	10	70	*	10	*	10	*
ORANGE	120	110	10	10	20	10	80	10	10	*	*	*
PAMLICO	20	20	*	*	*	*	20	*	*	*	*	*
PASQUOTANK	50	50	*	*	10	*	40	*	*	*	*	*
PENDER	30	30	*	*	10	*	20	*	*	*	*	*
PERQUIMANS	10	10	*	*	*	*	10	*	*	*	*	*
PERSON	40	40	*	*	10	*	30	*	*	*	*	*
PITT	110	100	10	10	20	10	70	10	10	*	*	*
POLK	50	40	*	*	10	*	40	10	*	*	*	*
RANDOLPH	160	140	10	10	30	20	110	10	10	*	10	10
RICHMOND	70	70	10	*	10	10	50	*	10	*	*	*
ROBESON	120	110	10	*	20	10	90	*	10	*	*	*
ROCKINGHAM	140	120	10	10	20	10	100	*	10	*	10	*
ROWAN	240	220	20	10	40	20	170	20	20	*	10	10
RUTHERFORD	100	100	10	*	20	10	80	10	10	*	*	*
SAMPSON	60	50	*	*	10	10	40	*	*	*	*	*
SCOTLAND	40	40	*	*	10	*	30	*	*	*	*	*
STANLY	90	90	10	*	20	10	70	*	10	*	*	*
STOKES	40	40	*	*	10	10	20	*	*	*	*	*
SURRY	100	90	10	*	20	10	70	10	10	*	*	*
SWAIN	20	20	*	*	*	*	20	*	*	*	*	*
TRANSYLVANIA	50	40	*	*	10	*	30	*	*	*	*	*
TYRRELL	10	10	*	*	*	*	*	*	*	*	*	*
UNION	120	110	10	10	20	10	80	10	10	*	10	*

	--	--	-	*	*	*	20	*	*	*	*	*
TRANSYLVANIA	50	40	*	*	10	*	30	*	*	*	*	*
TYRRELL	10	10	*	*	*	*	*	*	*	*	*	*
UNION	120	110	10	10	20	10	80	10	10	*	10	*

NORTH CAROLINA

PROJECTED VETERAN DEATHS BY COUNTY --- MARCH 31, 1987

		WARTIME VETERANS						PEACETIME VETERANS			
			VIETNAM ERA		KOREAN CONFLICT						
COUNTY	TOTAL VETERANS	TOTAL	TOTAL	NO. SERVICE IN KOREAN CONFLICT	TOTAL	NO. SERVICE IN WORLD WAR II	WORLD WAR II	WORLD WAR I	TOTAL	POST-VIETNAM ERA	SERVICE BETWEEN KOREAN CONFLICT AND VIETNAM ERA ONLY	OTHER PEACETIME VETERANS
VANCE	50	50	*	*	10	10	40	*	*	*	*	*
WAKE	540	490	50	40	100	70	360	30	50	10	30	20
WARREN	20	20	*	*	*	*	20	*	*	*	*	*
WASHINGTON	20	20	*	*	*	*	10	*	*	*	*	*
WATAUGA	50	50	*	*	10	*	30	*	*	*	*	*
WAYNE	130	120	10	10	20	20	90	10	10	*	10	*
WILKES	100	90	10	*	20	10	70	10	10	*	*	*
WILSON	90	90	10	*	20	10	70	10	10	*	*	*
YADKIN	40	40	*	*	10	10	30	*	*	*	*	*
YANCEY	20	20	*	*	*	*	20	*	*	*	*	*

NOTE: DETAIL MAY NOT ADD TO TOTAL SHOWN DUE TO ROUNDING. "OTHER PEACETIME VETERANS" IS COMPRISED OF THOSE WHO SERVED ONLY BETWEEN WORLD WAR I AND WORLD WAR II, AND THOSE WHO SERVED ONLY BETWEEN WORLD WAR II AND THE KOREAN CONFLICT.
* LESS THAN 5. ** LESS THAN 50.

STATE OF NORTH CAROLINA

LEGISLATIVE RESEARCH COMMISSION

STATE LEGISLATIVE BUILDING

RALEIGH 27611

November 13, 1986

To: Members of the Veterans Cemetery Study Committee

From: Grover Burthey, committee counsel

Subject: State-owned property for use as Veterans Cemetery

After consultations with Mr. Ray DeBruhl, Mr. Charles Holliday, and Mr. Joe Henderson of the State Building Section and State Property Office, I submit the following findings.

There are 500,000 acres of land under state control all over the state. The process to allocate or reallocate tracts of land involves an administrative act by the Council of State. The Council, acting through the Secretary of the Department of Administration issues a Letter of Allocation allocating or reallocating a certain tract or tracts of land from one agency to another upon an application being made.

The deed remains in the name of the state, but the Letter of Allocation, signed by the agency heads, records the transfer and is kept on file in the State Property Office. The transfer does not need legislative action to be valid as the Council of State has been delegated this function. It is not necessary that the receiving agency pay compensation although the regulations state that the receiving agency may pay compensation. The process would be the same if the State were to transfer property to the Federal Government as well.

The State Property Office indicates that the process to identify potential sites would require a staff person from the responsible agency because they are not staffed to do the search. There are 10,000 possible tracts which would have to be screened from a computer printout. Once sites in the general area of the State are identified, there are maps that would need to be checked for verification of size, location and possible restrictions noted. Then each site would have to be visited and inspected before any could be initially determined as suitable. Further study would also have to be done to determine the environmental impact as well as local zoning laws and ordinances that may affect a cemetery project. The Property Office would assist the staff person and provide technical help such as rezoning or the purchase of adjacent lands, but they could not be primarily responsible for choosing the site.

11/13/86

VETERANS CEMETERIES - ESTIMATED COSTS

These estimates are based on the development of individual cemeteries, each with approximately 90 acres. It is suggested by the Veterans Administration that the cemeteries be developed in phases, with the first phase including at least 20-30 acres ready for gravesites, maintenance buildings, office space and a chapel.

Most states have used state-owned property for the cemeteries and have thus avoided the costs of the purchase of the land. The market value of the land however, can be applied to the state's planned project costs that the V.A. grant program would match.

Estimates from the V.A. Grants Program, based on programs all over the nation are that total costs can range from $1.2 million to $1.6 million per project. This would make the State's share from $600,000 to $800,000 per project and result in the total costs for three cemeteries of $3.6 to $4.8 million thus making the total State costs $1.8 to $2.4 million. Operating expenses for four employees, including a superintendant and maintenance crew, would be at least $100,000 per year per cemetery. Of course depending on the available resourses and further feasibility studies, this figure could much lower. A review of the Maryland Program is helpful along this line.

There are major front end costs that the State will have to commit and spend before the Federal grant money would be available. These costs include setting up the Cemetery Program, picking the sites, preparation of initial site architectual and engineering plans, surveying, rezoning and documents preparation to name a few. These costs however, can be included in the total project costs and thus become part of the State's share acceptable for matching money at the time the grant application is submitted.

MARYLAND VETERANS CEMETERY PROGRAM

Chapter 504 of the Acts of 1973, which amended Article 96½ of the Maryland Code, established the Maryland Veterans Cemetery Program, which is to be administered and controlled by the Maryland Veterans Commission. As amended in 1974, the sum of $3,000,000, previously appropriated for the acquisition of property for the cemeteries, was designated to be used for the construction of the cemeteries, since it was decided to utilize lands already possessed by the State, for cemetery purposes. Four areas were chosen, totalling 298.68 acres. Another area of approximately 35 acres was donated by the Commissioners of Dorchester County, to be used for cemetery purposes. This latter area to be named the Maryland Veterans Cemetery Eastern Shore, is currently under construction.

The need for the establishment of additional cemeteries is demonstrated by two salient factors - demand, and facilities to meet the demand. In estimating the demand, we have turned to the Veterans Administration for information, (the most reliable source available.)

I. Estimate of need for interment space

A. Number of veterans residing in Maryland - 613,000
(Majority are W.W.II veterans, whose average age is over 57 years)

B. Estimate of mortality rate:

1976	1977	1978	1982
5,000	7,984	8,295	10,784

C. Estimate of number of veterans seeking interment in a State cemetery (based upon Veterans Administration experience of 40% of deceased veterans being interred in a national cemetery); and number of eligible members of immediate family who will be interred, (computed at the rate of 35% of the number of veterans who will be interred.)

	1976	1977	1978	1982
Veterans	2,000	3,193	3,318	4,314
Dependents	700	1,117	1,161	1,509
Total	2,700	4,310	4,479	5,823

(This appears to be a conservative estimate of need, since with the close proximity of the cemeteries, the percentage could easily exceed 50% of the mortality rate.)

II. Estimate of actual interment capacity rate

Eastern Shore Cemetery

1976-1977	Average	4 per day	per year	960	
1978 -	Average	3 per day	" "		720

Cheltenham Cemetery

1977	Average	4 per day	per year	960	
1978	Average	5 per day			1,200

Rocky Gap Cemetery

1977	Average	3 per day	per year	720	
1978	Average	3 per day	per year		720

Garrison Forest Cemetery

1977	Average	4 per day	per year	960	
1978	Average	5 per day	per year		1,200

Crownsville Cemetery

1977	Average	4 per day	per year	960	
1978	Average	5 per day	per year		1,200

otal Rate of Interments - 1977 4,560

otal Rate of Interments - 1978 and beyond 5,040

While we expect that interment operations at the Eastern Shore Veterans metery can be commenced before the end of 1976, because of the uncertainty of ch date, no estimate of interments for that year has been made. As for 1977, expect that a second cemetery will be in operation for only about six months.

therefore, it will be impossible to meet the projected need for interment space. However, if all five of the planned cemeteries become operational by early 1978, the requirements of the veterans of Maryland, for plot and interment services, can be met by the end of that year, and continuing.

III. Computation of Projected Construction Costs of Phase I of the Cemetery Program (Computed to include construction cost increases due to inflation - at rate of one (1) percent per month (of basic estimated cost) until such time funds are obligated or committed. An additional five (5) percent has been added to the cost, to include funds for contingencies.) (Amounts already spent or committed are not included - "A/E - Estimates" are included in the basic amounts, since their committal is expected in the near future.) *

A. Cheltenham Cemetery (Estimated - 12 months before construction funds are committed - cost increase estimated at rate of 12% inflationary rate, plus an additional 5% for contingencies.)

1. With chapel		
a. Cemetery site cost	$ 811,286	
b. Buildings - cost of construction	458,640	
c. A/E Costs (plan development)	31,250	
Total cost (with chapel)	$ 1,301,176	$ 1,301,176
2. Without chapel		
a. Deduct cost of chapel	$ 152,880	
Total cost (without chapel)	$ 1,148,296	$ 1,148,296

* Basic cost of construction and other costs, are itemized for each cemetery, in attachment.

B. Rocky Gap Cemetery (Estimated - 12 months before construction funds are committed - cost increase estimated at rate of 12% inflationary rate, plus an additional 5% for contingencies.)

1. With chapel		
a. Cemetery site cost	$ 430,710	
b. Buildings - cost of construction	230,790	
c. A/E costs (plan development)	34,500	
Total cost (with chapel)	$ 696,000	$ 696,000
2. Without chapel		
a. Deduct cost of chapel	$ 61,740	
Total cost (without chapel)	634,260	$ 634,260

. Garrison Forest Cemetery (Estimated - 14 months before construction unds are committed - cost increase estimated at rate of 14% inflationary ate, plus an additional 5% for contingencies.)

1. With chapel		
a. Cemetery site cost	$ 678,699	
b. Buildings - cost of construction	$ 177,646	
c. A/E costs (plan development)	$ 32,100	
Total cost (with chapel)	$ 888,445	$ 888,445
2. Without chapel		
a. Deduct cost of chapel	$ 34,473	
Total cost (without chapel)	853,972	$ 853,972

Crownsville Cemetery (Estimated - 14 months before construction funds are mmitted - cost increase estimated at rate of 14% inflationary rate, plus an ditional 5% for contingencies.)

1. With chapel		
a. Cemetery site cost	$ 684,684	
b. Buildings - cost of construction	163,989	
c. A/E costs (plan development)	36,400	
Total cost (with chapel)	$ 885,073	$ 885,073

Total cost (with chapel) carried forward ...	$ 885,073	
2. Without chapel		
a. Deduct cost of chapel	$ 71,820	
Total cost (without chapel)	$ 813,253	$ 813,253

E. Eastern Shore Cemetery (Computation includes construction costs of buildings and A/E estimates of plan developments - all other costs are either paid or committed.)

1. With chapel		
a. Building construction	$ 208,725	
b. A/E estimate - building plans	9,750	
Total additional cost (with chapel)	$ 218,475	$ 218,475
2. Without chapel		
a. Deduct cost of chapel	$ 70,900	
Total additional cost (without chapel)	$ 147,575	$ 147,575

F. Estimated total future cost of cemeteries

1. With chapels	$3,989,169
2. Without chapels	3,597,356

IV. Construction funds authorized by 1974 Amendments to Chapter 504 of the laws of 1973 $ 3,000,000

A. Funds expended or committed

1. Cost of site work - Eastern Shore	$ 550,000	
2. Cost of A/E plan and master plan	26,000	
3. Cost of initial surveys - all sites	43,723	
4. Cost of master plan - 4 cemeteries	58,450	
Total expended and committed	$ 678,173	678,173
Funds Remaining in Account		$ 2,321,827

B. Computation of additional funds required for completion of program

1. Estimated total cost with chapels	$ 3,989,169	
Less funds available	2,321,827	
Additional amount needed (with chapels)	$ 1,667,342	
2. Estimated total cost without chapels	$ 3,597,356	
Less funds available	$ 2,321,827	
Additional funds required (without chapels)	$ 1,275,529	

V. Estimate of extent cemetery construction program can be carried out with current funds

A. Amount currently in construction fund $ 2,321,827

B. Eastern Shore Cemetery - construction funds required for completion:

1. With chapel			
a. Building construction costs	$ 208,725		
b. A/E costs (plan developments)	9,750		
Total required (with chapel)	$ 218,475		218,475
Amount remaining construction fund (with chapels)		$	2,103,352
2. Without chapel			
a. Deduct cost of chapel	$ 70,900		
Total required (without chapel)	$ 147,575	$	147,575
Amount remaining construction fund (without chapels)		$	2,174,252

C. Cheltenham Cemetery

1. With chapel			
a. Cemetery site cost	$ 811,286		
b. Buildings - cost of construction	458,640		
c. A/E costs (plan development)	31,250		
Total required (with chapel)	$ 1,301,176		1,301,176
Amount remaining construction fund (with chapels)		$	802,176

Total required with chapel, carried forward	$ 1,301,176		
2. Without chapel			
a. Deduct cost of chapel	152,880		
Total required (without chapel)	$ 1,148,296	$	1,148,296
Amount remaining construction fund (without chapels)		$	1,025,956

D. Rocky Gap Cemetery

1. With chapel			
a. Cemetery site cost	$ 430,710		
b. Buildings - cost of construction	230,790		
c. A/E cost (plan development)	34,500		
Total required (with chapel)	$ 696,000	$	696,000
Amount remaining construction fund (with chapels)		$	106,176
2. Without chapel			
a. Deduct cost of chapel	61,740		
Total required (without chapels)	634,260	$	634,260
Amount remaining construction fund (without chapels)		$	391,696

E. Garrison Forest Cemetery

1. With chapel			
a. Cemetery site cost	$ 678,699		
b. Buildings - cost of construction	177,646		
c. A/E cost (plan development)	32,100		
Total required (with chapel)	$ 888,445	$	888,445
Additional funds required (with chapels)			782,269
2. Without chapel			
a. Deduct cost of chapel	$ 34,473		
Total required (without chapel)	$ 853,972	$	853,972
Additional funds required (without chapels)		$	462,276

F. Crownsville Cemetery

1. With chapel

a. Cemetery site cost	$ 684,684	
b. Buildings - cost of construction	163,989	
c. A/E costs (plan development)	36,400	
Total required (with chapel)	$ 885,073	$ 885,073
Total additional funds required (with chapels)		$ 1,667,342

2. Without chapel

a. Deduct cost of chapel	$ 71,820	
Total required (without chapel)	813,253	$ 813,253
Total additional funds required (without chapels)		$ 1,275,529

ATTACHMENTS

PROGRAM COST PROJECTION

MARYLAND VETERANS CEMETERY PROGRAM

EASTERN SHORE

Master Plan - Complete - (Cost in estimate below)

Phase I

Site - Under Construction
Chapel - Architect assigned - Schematics submitted
Administration-Maintenance - Architect assigned - Schmatics submitted

Construction - Estimate

Site	-	$550,000.00	*
Chapel	-	70,900.00	
Administration-Maintenance	-	137,825.00	
Sub-Total		758,725.00	

A/E - Estimate

Site - (Contract - A)	-	$ 26,000.00	*
Administration-Maintenance (Contract - B)	-	5,500.00	**
Chapel - (Contract - B)		4,250.00	**
Sub-Total		$ 35,750.00	

GRAND TOTAL $794,475.00

Grand Total - Master Plan & Phase I

With construction of chapel	$794,475.00
Without construction of chapel	723,575.00

* Actual Cost plus small contingency
** Actual cost per A/E proposal

CHELTENHAM

Master Plan - Complete - $15,300.00

Phase I

Site - Design Contract Proposals due 6/7/76
Buildings - Awaiting program - Meeting scheduled with Veterans Administration - 6/7/76

Construction - Estimate

Site	- $	689,870.00
Chapel	- $	130,000.00
Administration	- $	175,000.00
Maintenance	- $	85,000.00
Sub-Total		$1,079,870.00

A/E - Estimate

Site - (Contract A)	- $	11,250.00	*
Chapel - (Contract B)	- $	6,500.00	
Administration-(Contract B)	- $	9,000.00	
Maintenance-(Contract B)	- $	4,500.00	
Sub-Total	$	31,250.00	

GRAND TOTAL $1,111,120.00

* Actual cost per proposal (6/7/76)

Grand Total - Master Plan & Phase I

With construction of chapel - $1,126,420

Without construction of chapel - 996,420

2

ROCKY GAP

Master Plan - Complete - $10,850.00

Phase I

Site - Awaiting Program - Meeting scheduled with Vets Commission 6/7/76
Buildings - Awaiting Program - Meeting scheduled with Vets Commission 6/7/76

Construction - Estimate

Site	-	$366,250.00
Chapel	-	52,500.00
Administration	-	37,500.00
Maintenance	-	106,250.00
Sub-Total		$562,500.00

A/E Estimate

Site - (Contract - A)	-	$ 20,000.00
Administration-Maintenance (Contract - B)	-	8,500.00
Chapel (Contract - B)	-	6,000.00
		$ 34,500.00

GRAND TOTAL $597,000.00

Grand Total - Master Plan & Phase I

With construction of chapel $607,850.00

Without construction of chapel $555,350.00

GARRISON FOREST

Master Plan - Completion by 6/11/76 - $16,000.00

Phase I

Site - Program submitted to State Planning
Design proposals to be requested 6/21/76
Buildings - Program submitted to State Planning

Construction - Estimate

Site	-	$567,000.00
Chapel	-	28,800.00
Administration	-	51,450.00
Maintenance	-	68,160.00
Sub-Total		$715,410.00

A/E - Estimate

Site - (Contract-A)	-	$ 17,000.00
Chapel - (Contract-B)	-	4,600.00
Administration - (Contract B)		6,000.00
Maintenance - (Contract B)		4,500.00
Sub-Total		$ 32,100.00

GRAND TOTAL $747,510.00

Grand Total - Master Plan & Phase I

With construction of chapel $763,510.00

Without construction of chapel $734,710.00

CROWNSVILLE

Master Plan - Complete - $16,200.00

Phase I

Site - Program submitted to State Planning
Design proposals to be requested 6/15/76
Buildings - Program submitted to State Planning
Meeting scheduled with Vets. Admin. 6/7/76

Construction - Estimate

Site	-	$572,000.00
Chapel	-	60,000.00
Administration	-	62,000.00
Maintenance	-	15,000.00(Renovate existing building)
Sub-Total		$709,000.00

A/E - Estimate

Site - (Contract - A)	-	$ 22,800.00
Chapel - (Contract - B)	-	4,600.00
Administration (Contract B)	-	6,000.00
Maintenance - (Rehab.) (Contract B)	-	3,000.00
Sub-Total		$ 36,400.00

GRAND TOTAL $745,400.00

Grand Total - Master Plan & Phase I

With construction of chapel - $761,700

Without construction of chapel - 701,700

5

CONSTRUCTION PROGRAM

MARYLAND VETERANS

CEMETERY PROGRAM

CONSTRUCTION PROGRAM

MARYLAND VETERANS COMMISSION

VETERANS CEMETERY PROGRAM

I. Description and Purpose of Program

The Maryland Veterans Commission was authorized by Chapter 504 of the Acts of 1973, to establish cemeteries for the interment of veterans who were honorably discharged from the Armed Forces of the United States, and who were legal residents of the State of Maryland at the time of death; and, the members of their immediate family. To carry out this assignment, and to administer the cemeteries established thereunder, the office of Veterans Cemetery Program Manager was created, under the jurisdiction of the Maryland Veterans Commission.

For administrative purposes, the cemeteries are to be divided into two classes or sizes. The Class 'A' or larger types, are to be located near the more populous areas of the State; and the Class 'B' or smaller types, are to be located in the more remote areas of the State. Each cemetery will have an administrative head or superintendent who will be responsible for the operation of the cemetery. In addition, he will have a clerical assistant who will be responsible for maintaining the records of the cemetery. In the Class 'A' cemeteries, there will also be an assistant cemetery superintendent. The operating personnel will consist of a grounds foreman, a motor equipment operator, a motor vehicle operator, and grounds keepers, in numbers consistent with the number of interments made, and the size of the cemetery.

II. Purpose of Administration Building

The administration building will contain the offices of the cemetery superintendent; clerical assistant; (in Class 'A' cemeteries, the assistant superintendent); the reception area which will be open to the public, and sanitary facilities and services for both the cemetery personnel and the public.

III. CLASS A CEMETERIES

Administration Building - Description

In the Class 'A' cemeteries, the administration building will be separate and will be located in a convenient area (in two cemeteries, such building will be located in the memorial area.) The building will be of one story, and constructed of material compatible with the proposed chapel. The building will also contain heating and air-conditioning facilities.

A. Reception Area

Required for public use, where veterans and/or members of family and friends come to arrange for services, inquire about grave sites, etc. In some instances, appearances will also be made to present evidence of eligibility for interment. As well as those appearances by individuals seeking other information, the room will contain the following:

1. Setee or davenport
2. Coffee table and end tables
3. Three large chairs
4. Six to eight folding chairs
5. Model of the cemetery
6. Water cooler

Minimal space required - 350 sq.ft.

B. Superintendent's Office

The room is to be private with entrance adjacent to the clerk and records office. The room will contain the following:

1. Executive desk and chair
2. Credenza
3. Bookcase
4. Three office chairs

Space required - 120 sq. ft.

C. Clerical and Records Office

This room will contain the clerk's office, and will have an open area from 6 to 8 feet, separated from the reception area by a 3' high counter. In addition to a "records" area, a 10'X 10' space should be available for an assistant superintendent's office. The following will be placed in this room:

1. Typists (stenographers) desk and chair
2. Table for copier and adding machine (3' X 6')
3. Four file cabinets
4. Small refrigerator
5. Supplies cabinet 3' X 5'
6. Drawing table and cabinet - for cemetery plans

Space required - 288 sq. ft.

D. Public - Men's Rest Room

Space for two stalls, two urinals and wash basin.

Space required - 180 sq. ft.

E. Public - Women's Rest Room

Space for three stalls, two wash basins, and rest area.

Space required - 140 sq. ft..

F. Janitor's Closet

The room will contain the following:

1. Sink
2. Shelving for supplies
3. Space for vacuum cleaner 3

IV. CLASS 'A' MAINTENANCE BUILDING

A building separate from the administration building to be located in a more remote area of the cemetery, and to be used to house the equipment required for providing interment services; the equipment needed to maintain the grounds and buildings; and, to house repair facilities for the maintenance of the equipment. In addition to personnel doors, there should be three 12 X 12 foot doors.

A. General Storage Area

In this area will be housed the large equipment, such as:

1. 2 backhoes with front end loader
2. Dump truck
3. 2 industrial size tractors with side bar
4. Mowing equipment - (2 flail mowers & 3 - 30" mowers)
5. Pick-up truck
6. Casket handling devices - (2 carriage dollies, 3 casket lowering devices)
7. Grave boards (12)
8. Memorial lifter and transporter
9. 3 chapel tents
10. Artificial grass - 3 sets
11. Flat bed trailer
12. Water pump - portable
13. Air compressor - portable
14. Generator - portable
15. Water tank and trailer
16. Lawn sweeper - self-propelled
17. Fertilizer distributor - 36" flow
18. Miscellaneous equipment, (Air hammer, dirt tamper, sod lifters, shovels, etc.)
19. 50 folding chairs

B. Repair Facilities

Will require space for:

1. 2 work benches 36" X 48"
2. Tool chest - mounted on wheels
3. Grinder sharpener
4. Battery charger
5. Hydraulic lifter

C. Equipment Cleaning Area

Will require sloping floor with drain

4 Total space required General Storage Area - 1,600 sq. ft.

D. Foreman's Office

Will contain:

1. Small desk
2. Chairs - 3

Space required - 100 sq. ft.

E. Conference Room - Lunch Area

1. Large table and 10 chairs
2. 12 cu.ft. refrigerator

Space required - 150 sq. ft.

F. Locker Room and Showers - Men

1. Space for 10 lockers and 4 shower stalls
2. Sanitary facilities - 2 stalls, 2 urinals, 2 wash basins

Space required - 256 sq. ft.

G. Locker Room - shower - Women

1. Space for 3 lockers and one shower stall
2. Sanitary facilities - one stall and one wash basin

Space required - 100 sq. ft.

H. Tool Locker

Area to store small tools - with shelves

Space required - 16 sq. ft.

Maintenence Building - Total space required - 2,266 sq. ft.

V. CLASS B CEMETERIES

Administrative and Maintenance Building

In the Class 'B' cemeteries, the administrative and maintenance buildings will be combined, in order to save space. The functions of this combined building will be similar to those of the Class 'A' buildings; only, the specific requirements will be less.

A. Administrative Building

The administrative building in the Class 'B' cemeteries will require space for the following:

1. Reception area

   a. Setee or Davenport
   b. Coffee and end tables
   c. Two large chairs
   d. Model of cemetery
   e. Water cooler

   Space required - 216 sq. ft.

2. Superintendent's Office

   a. Executive desk and chair
   b. Credenza
   c. Book case
   d. Two office chairs

   Space required - 100 sq. ft.

3. Clerical and Records Office

   This office, which will have an open area separated from the reception area by a 10 foot counter, will contain the following:

   a. Typist's desk and chair
   b. Table for copier, and adding machine
   c. 2 file cabinets
   d. Supplies cabinet 3' X 5'
   e. Drawing table - for cemetery plans

   Space required - 216 sq. ft.

4. Men's Rest Room

Space for one stall and two urinals and wash basin (stall equiped for wheelchair)	150 sq. ft.

5. Women's Rest Room

Space for two stalls (one to accommodate wheelchair) and one wash basin	100 sq. ft.

6. Janitor Supplies Closet

1. Vacuum cleaner - office type
2. Mopping sink
3. Mopping and cleaning supplies
4. Sanitary supplies.

Space required	18 sq. ft.

Administration Building - total space - 800 sq. ft.

B. Maintenance Building

The maintenance building will house the listed equipment in the following areas:

1. General Storage Area

a. Backhoe with front end loader
b. Dump trucks
c. Industrial size tractor with side bar
d. Mowing equipment - (flail mower and 2 hand mowers)
e. Pick-up truck
f. Casket handling devices (carriage dolly, 2 casket lowering devices)
g. Grave boards
h. Memorial lifter and transporter
i. 2 Chapel tents
j. 2 sets artificial grass
k. Flat bed trailer
l. Water pump - portable
m. Air compressor - portable
n. Generator - portable
o. Lawn sweeper - self-propelled
p. Fertilizer distributor
q. Miscellaneous equipment
r. 50 folding chairs

2. Repair Facilities

a. 2 work benches - 36" X 48"
b. Tool chest - portable, on wheels
c. Battery charger
d. Hydraulic lift

3. Equipment Cleaning Area

Area with drain for cleaning equipment

Total space - General Storage - 1,200 sq. ft.

4. Foreman's Office

a. Small desk
b. 3 chairs

Space required - 100 sq. ft.

5. Conference Room - Lunch Area

a. table - 6 chairs
b. 12 cu.ft. refrigerator

Space required - 120 sq. ft.

6. Locker Room & Showers - Men

a. Space for 6 lockers and two (2) shower stalls
b. Sanitary facilities - 2 stalls, 1 urinal, 1 wash basin

Space required - 150 sq. ft.

7. Locker Room & Showers - Women

a. Space for 2 lockers and one shower
b. Sanitary facilities - 1 stall, 1 wash basin

Space required - 120 sq. ft.

8. Tool Locker

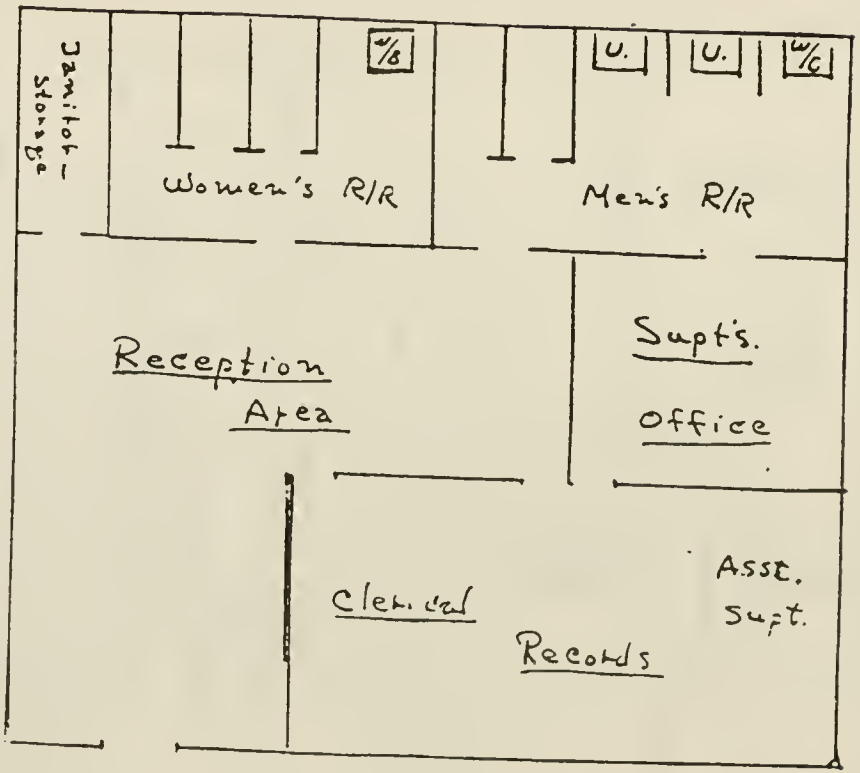
a. Space with shelves to store small tools

Space required - 20 sq. ft.

Maintenance Building - total space - 1,710 sq. ft.

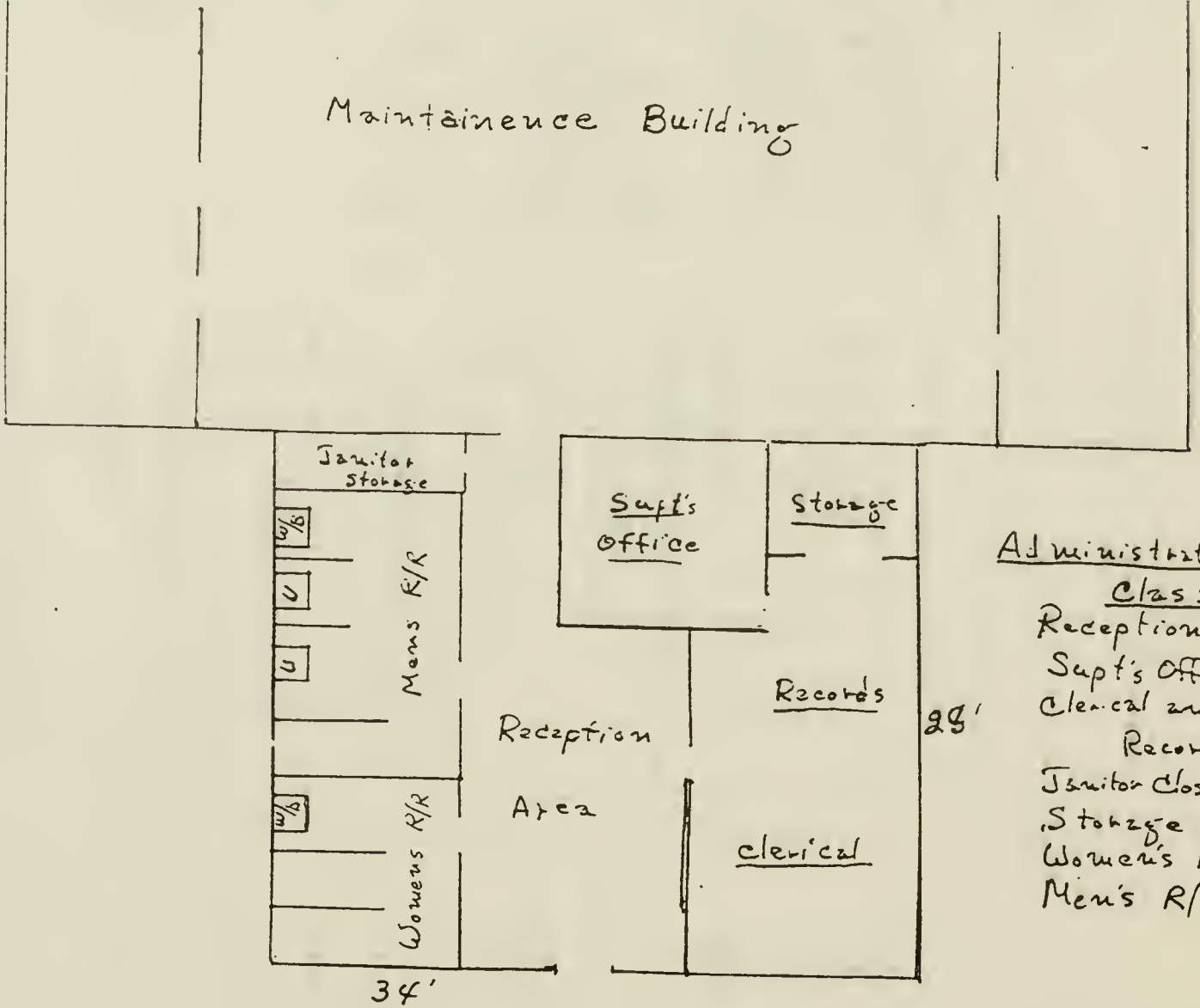
TOTAL COMBINED SPACE - 2,510 sq. ft.

ADMINISTRATION BUILDING - CLASS-'A'



Scale — 2' — 1/4

Reception Area —	384 - Sq. ft.
Clerical - Records - etc,	288 - Sq. ft.
Supt's Office -	120 - Sq. ft.
Women's R/R -	140 - Sq. ft.
Janitor - Storage -	40 - Sq. ft.
Men's R/R.	180 - Sq. ft.



Administration Bldg.

Class 'B'

Reception - 230

Supt's Office - 110

Clerical and Records - 248

Janitor Closet - 15

Storage - 48

Women's R/R - 100

Men's R/R - 150

Scale - 2'- 1/4"

Title 14
INDEPENDENT AGENCIES

Subtitle 05 VETERANS COMMISSION

Chapter 02 Interments in State Veterans' Cemeteries

Authority: Article 96½, §19, Annotated Code of Maryland

.01 Definitions.

A. In these regulations, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Armed forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard of the United States.

(2) "Veteran" means any one of the following:

(a) A person who served as an active member of the armed forces whose service was terminated honorably;

(b) A person who dies under honorable conditions while serving on active duty in the armed forces; or

(c) A member of the reserve component of the armed forces (Army National Guard, the Air National Guard, or the Reserve Officers Training Corps, who dies under honorable conditions while serving on active duty (for training or full time service), or while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred while serving on this duty.

.01-1 Eligibility Requirements for Interment.

The following persons are eligible for interment in the State Veterans' Cemeteries:

A. A veteran who was a legal resident of Maryland:

(1) At the time of death,

(2) For a period of 20 years (or more), or

(3) When he or she entered the armed forces of the United States;

B. A veteran who was a legal resident of Maryland for less than 20 years if the Maryland Veterans' Commission determines that there are compelling reasons for waiving the 20 years residence requirement.

C. The spouse, widow or widower of an eligible veteran or service member, including the widow or widower of an armed forces member lost or buried at sea, or officially determined to be permanently absent in a status of "missing" or "missing in action", who met the legal residence requirements at the time the eligible veteran or service member was last known to have been alive;

D. The children under 21 years old of an eligible veteran, or those under 23 years old if they are completing education or training at an approved educational institution at the time of death; and

E. The unmarried adult children of an eligible veteran, if the children became permanently incapable of self-support because of a physical or mental disability before reaching 21 years old. Interment of an adult child must first be approved by the Maryland Veterans' Commission, or its designee.

.02 Legal Residence within State of Maryland.

A. A veteran's legal residence within the State, for the purpose of establishing eligibility for burial in a State Veterans' Cemetery, shall be established by reasonable and substantial evidence before he or a member of his immediate family may be interred. That evidence may include:

(1) An up-to-date voters registration card, in the name of the veteran;

(2) A certified copy of a Maryland income tax report form, filed by the veteran immediately preceding his or his next of kin's date of death;

(3) A certified copy of a notice of tax assessment or tax bill on property located within the State, addressed to the veteran and dated within one year of his or his next of kin's death; and

(4) The records of a nursing home, hospital, or institution where the veteran may have been confined, to establish that at the time of his admission, his legal residence was within the State.

B. When a veteran, who has been a legal resident of Maryland for a period of 20 years or more, moves to another State to establish legal residency, the Maryland residence, for the purpose of qualifying for interment in a State veterans' cemetery shall be established by one or more of the following during the period in question:

(1) Records of tax payments (personal or property or both);

(2) A continuous voting record;

(3) Hospital records (governmental or private or both);

(4) Personal knowledge of reputable citizens of Maryland, or State, county, or city officials;

(5) Records of recognized fraternal, civic, or veterans' organizations;

(6) Any other substantial evidence that may establish the required residency.

C. The 20-year legal residence requirement may be waived when the veteran has been a legal resident of Maryland for a substantial portion of a 20-year period, if, in the judgment of the Maryland Veterans' Commission, or its designee, there are compelling reasons for this waiver, such as the following:

(1) The veteran has had ties of relationship and friendship to permanent residents of Maryland for a substantial period;

(2) There is evidence that equal or greater ties of the veteran to residents of another state does not exist; or

(3) The evidence in support of this waiver is compelling, or of such nature and weight as to warrant an affirmative decision.

D. The evidence establishing that a veteran was a legal resident of Maryland when he entered the armed forces of the United States shall include one or more of the following:

(1) Military records, such as a DD-214;

(2) A document establishing honorable military service; or

(3) Draft board records, or State records establishing legal residence at a time of entrance into military service.

.03 Burden of Proof in Establishing Eligibility.

The burden of proof in establishing eligibility for burial in a State Veterans' Cemetery shall be upon the veteran, his next of kin or legal representative, or the executor or administrator of his estate. Representatives of the Maryland Veterans' Commission, however, shall render assistance in establishing eligibility.

.04 Persons Not Eligible for Burial In a State Veterans' Cemetery.

A. A person whose last separation from one of the Armed Forces of the United States was other than honorable is not eligible.

B. A father, mother, or in-law of an eligible veteran is not eligible even though he or she is dependent upon the veteran for support or is a member of his household.

C. A person ordered to report to an induction station who was not actually inducted into the military service is not eligible.

D. A spouse of a veteran who remarries an ineligible person is not eligible. If that remarriage was void, terminated by death, or dissolved by annulment or divorce, the spouse regains eligibility, pro-

(See following page)

vided the decree of annulment or divorce was not secured through fraud or collusion.

.05 Assignment of Gravesites.

A. One gravesite will be assigned for the burial of an eligible veteran and the eligible members of his immediate family. If a family member is to be buried, interment will be either above or below the veteran.

B. A particular gravesite may not be reserved in advance. Assignment of a gravesite will be made on the basis of availability at the cemetery closest to the veteran's home at the time request for interment is received, and after eligibility of the veteran or member of his immediate family is established.

C. A qualified veteran or eligible member of his family may apply in advance for a burial plot in a State Veterans' Cemetery by filing an application with the Maryland Veterans' Commission and furnishing appropriate evidence of honorable military service and legal residence within the State. Applicants will be notified of the action taken on their request. At the time of the death of the veteran or eligible family member, his continued eligibility for burial must be confirmed.

.06 Interment in a State Veterans' Cemetery; Disinterment.

A. An eligible veteran shall be furnished a burial plot and interment service, at no expense to his estate. Other expenses incurred in the preparation or transportation of the remains may not be paid by the State, but may be reimbursed by the Veterans' Administration.

B. The burial fee for an eligible member of an eligible veteran's immediate family is $150. The burial fee shall be paid before interment is authorized.

C. Burial permits will be required in accordance with the regulations established by the State and local authorities before interment can be made.

D. The interment provided by the State does not include a grave vault for the remains. If a vault is desired, arrangements for its installation shall be made independently by the veteran or his survivors or his legal representative; the cost of installation may not be paid by the Maryland Veterans' Commission.

E. If a veteran is to be interred in a State Veterans' Cemetery before verification of his eligibility, the surviving next of kin, legal rep-

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representative, or the administrator or executor of his estate first shall agree in writing to have the remains removed from the cemetery without expense to the State, if it is finally determined that the interment was not authorized under existing law and regulations.

F. If the spouse, dependent minor children, or disabled adult children precede the eligible veteran in death, the veteran shall execute an agreement electing to be buried in the same gravesite before interment may be made in a State Veterans' Cemetery. If the veteran changes his mind or his legal representative fails to abide by that agreement, for any reason other than the unrecoverability of remains, the remains of the family member interred in the State Veterans' Cemetery shall be removed without cost to the State.

G. Disinterments will be made upon receipt of appropriate authorization, at no expense to the Veterans' Commission.

.07 Right to Appeal.

A veteran, his legal representative or his next of kin may appeal a decision as to the eligibility of a veteran, or members of his immediate family, for burial in a State Veterans' Cemetery. The appeal shall be in writing, and filed with the chairman of the Maryland Veterans' Commission or his designee. When the matter on appeal concerns the right of immediate burial of a person, the chairman of the Commission or his designee shall respond to the appeal within 48 hours of its submission.

.08 Procedure for Arranging Interment.

The funeral director or other person making interment arrangements for an eligible decedent should communicate immediately with the Superintendent of the nearest State Veterans' Cemetery. He should furnish all pertinent data, including military service information, the claim number of any Veterans Administration claim, social security number, and other information establishing legal residence within the State. The applicant shall be notified when burial is authorized.

.09 Grave Marker.

A. The standard grave marker in a State Veterans' Cemetery shall be the flat type and made of bronze or stone. Placement of any type other than the standard flat type of marker or headstone shall be first approved by the Maryland Veterans' Commission.

B. A permanent type of grave marker will not be furnished at State expense. An appropriate marker, with inscription, may be furnished each veteran by the Veterans Administration

C. The Superintendent of the cemetery, or his representative, shall assist with the filing of an application for a grave marker.

D. The Maryland Veterans' Commission may not be held responsible for damage to, or destruction of, a grave marker or other grave monument by individuals other than employees assigned to that cemetery by the Commission.

.10 Appropriate Honors at Time of Burial.

Eligible veterans may be interred with appropriate honors, including military honors. The Maryland Veterans' Commission, its employees, or representatives will not assume responsibility for providing those honors.

Administrative History

Effective date: August 18, 1976 (3:17 Md. R. 912)
Regulation .01 adopted effective August 16, 1982 (9:16 Md. R. 1608)
Regulations .01-1 and .02 amended effective August 16, 1982 (9:16 Md. R. 1608)

VETERANS AFFAIRS DIVISION
DEPARTMENT OF MILITARY AFFAIRS

TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

P.O. Box 5715
Helena, Montana 59604

October 20, 1986

Dale Roberts
1004 De Boy Street
Raleign, N.C. 27606

Dear Mr. Roberts:

The Montana State Veterans Cemetery is now under construction. In order to obtain this goal, we have received approval from the Montana Historical Society, the Montana State Legislature and Governor, the U.S. Army, the U.S. Congress, the President and the Veterans Administration to name just a few.

In 1978, the Custer National Cemetery located near Billings, Montana became filled to capacity. Since 1978, veterans organizations have fought for and lost any apparent chance of getting an expanded or new National Cemetery.

The next best alternative was a State Cemetery. Land owned by the Department of Army, leased to the Montana National Guard and located next to the Veterans Administration Regional Office and Medical Center at Fort Harrison was identified in about 1980 as the prime location for our State Cemetery. This location was based upon such factors as veteran population, services (V.A., State and Veteran Service Organizations) in the area and the land itself (i.e. ground acceptable for burials, utilities, water, etc...).

We then contacted the veterans groups and began working with a sub-committee of the United Veterans Committee of Montana to insure our veterans would support this measure. They did.

Next we contacted Mr. Hal Graber of the V.A.'s State Cemetery Grants Program. Mr. Graber provided us with the direction that has insured our success. He is of enormous help with this type of program.

We also utilized our Adjutant General of the Montana National Guard for input and support services.

Our first problems appeared when we needed approval of the U.S. Congress to transfer this land to the State. The Office of Management and Budget and General Accounting Office opposed "free" transfer of land. They want fair

market value or equally valued land traded for Federal properties. So a small battle began in the U.S. Congress and we won. The Army had no objection to transferring the land. It was too close to the V.A. Center to be utilized for training, they wanted their veterans buried with dignity and we had the Adjutant General's support.)

We then went to the Montana State Legislature for funding. We approached them in 1983, the worst financial year in this State's history. (You see, timing is important.) However, with the Governor's support we did generate a small grant ($25,000.00) to show the V.A. we were sincere and wanted the project started. (The State must contribute 50% of the initial construction cost and 50% of the State 50% match must be in cash. The other 50% may be in land, services, etc.)

Because the property was also on the National Register and had some historical significance, we had to have a cultural resources study which clearly indicated we were not disturbing anything of historical value. If you can find property which does not fall within the limits of "historical property", you will be far better off. We did however also clear this hurdle.

We then began getting bids from private contractors, filing preliminary documents with the V.A. and started construction. We anticipate opening the cemetery this Spring or Summer.

If you contact the V.A. they will lead you through the process. If you have the veterans of your State behind you and they have political influence, the rest is fairly simple.

Our only danger seems to have been recently generated by the U.S. Congress and specifically, Gramm Rudman and Hollings. If we lose the V.A. plot allowance benefit, the total cost of burying veterans will be born by the State. The State then has two alternatives. One, assume the costs of burials, or two, charge the spouses to cover all the costs.

I am enclosing a sample of our proposed rules for your review. Although not complete, they will give you some idea of our direction.

Let me know if I can provide you with any further assistance or information.

Sincerely,

RICH BROWN
Administrator

RB/mh
Encl.

LEGISLATIVE PROPOSAL I

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ADMINISTRATION FOR A STATE VETERANS CEMETERY OFFICE.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the North Carolina Department of Administration the sum of one hundred thousand dollars ($100,000) for fiscal year 1987-88 for a State Veterans Cemetery Office to be created and staffed with a director and adequate support personnel in order to identify sites around the State for cemetery development, to acquire federal grant funds, to visit cemetery programs in other states, to contract with consultants, architects and engineers, to recommend development costs, to administer the program and to report to the Legislative Research Commission, Veterans Cemetery Study its findings and recommendations.

Sec. 2. This act shall become effective July 1, 1987.

LEGISLATIVE PROPOSAL II

A JOINT RESOLUTION CONTINUING THE LEGISLATIVE RESEARCH COMMISSION VETERANS CEMETERY STUDY.

Whereas, the Legislative Research Commission Veterans Cemetery Study Committee made recommendations to fund a State Veterans Cemetery Office in the Department of Administration to the 1987 General Assembly concerning the development of a cemetery program for veterans, the identification of land sites for the cemeteries, the operation and management of a cemetery program, the securing of federal grant matching funds to acquire and construct the cemeteries, and the amount of capital expenditures from the State that would be necessary; and

Whereas, the veterans cemetery office is expected to present a working plan and formulate funding recommendations that will fully implement a State veterans cemetery program from now on; Now, therefore, the Senate resolves, the House of Representatives concurring:

Section 1. The Legislative Research Commission may continue its study of a veterans cemetery program in North Carolina. The committee making the study may make an interim report, including recommendations, to the 1987 General Assembly, 1988 Session, and may make a final report to the 1989 General Assembly.

This study includes a continued, detailed examination of the costs of construction and operation of a State veterans cemetery program in North Carolina.

Sec. 2. This resolution is effective upon ratification.